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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Michael E. Dergosits  
Dergosits & Noah LLP  
Suite 1150  
Four Embarcadero Center  
San Francisco, CA 94111

EXAMINER
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SAX, STEVEN PAUL

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 12/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/027,430

Applicant(s)

LAND ET AL.

Examiner

Steven P Sax

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 1/7/02.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

### DETAILED ACTION

1. This application has been examined.
2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-12, 14-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Hoddie et al (6630934).
4. Regarding claim 1, Hoddie et al disclose the following:  
presentation data comprising one or more container objects containing one or more objects that include media data (Figure 7, 8, 9b, column 2 lines 15-35),

one or more pointer objects that reference a base object for data (column 2 lines 47-55, the time base reference in column 8 lines 10-20, also column 11 lines 9-30), creating a virtual hierarchy wherein the presentation data is structured in hierarchy such that the container objects can be nested within container objects (column 2 lines 7-33, column 6 lines 56-67, column 7 lines 1-31), playback display that presents the media data (column 6 lines 30-56, column 11 lines 29-38), means for processing the presentation data (column 4 lines 1-25, column 6 lines 30-56). This constitutes an 'authoring system' (see definition in enclosed dictionary excerpt). Note that the authoring (e.g. processing the media data or configuring the sequence) may be accomplished during interrelated playback of the presentation (column 11 lines 29-59).

5. Regarding claim 2, Hoddie et al also disclose the control display (Figure 2).

6. Regarding claim 3, Hoddie et al disclose:

presentation data comprising one or more container objects containing one or more objects that include media data (Figure 7, 8, 9b, column 2 lines 15-35), wherein the presentation data is structured in hierarchy such that the container objects can be nested within container objects (column 2 lines 7-33, column 6 lines 56-67, column 7 lines 1-31), means for processing the presentation data and navigating through the hierarchy, including selecting a container object in response to input (column 4 lines 1-25, column 6 lines 30-56, column 7 lines 5-34), playback display that presents the media data, wherein the current playback output for display is replaced by

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the playback output of the selected container object (column 6 lines 30-56, column 7 lines 6-32, column 11 lines 29-38). This constitutes an 'authoring system' (see definition in enclosed dictionary excerpt). Note that the authoring (e.g. processing the media data or configuring the sequence) may be accomplished during interrelated playback of the presentation (column 11 lines 29-59).

7. Regarding claim 4, Hoddie et al disclose that the presentation data objects all include data specifying whether the object is navigable (column 7 lines 30-50).

8. Regarding claim 5, Hoddie et al disclose:

presentation data comprising one or more container objects containing one or more objects that include media data (Figure 7, 8, 9b, column 2 lines 15-35), wherein the presentation data is structured in hierarchy such that the container objects can be nested within container objects (column 2 lines 7-33, column 6 lines 56-67, column 7 lines 1-31), playback display that presents the media data (column 6 lines 30-56, column 11 lines 29-38), means for processing the presentation data (column 4 lines 1-25, column 6 lines 30-56), one or more sub-display container objects which when played back displays the playback of its contained presentation data in a nested sub-display embedded within the display of the container object (column 7 lines 20-55). This constitutes an 'authoring system' (see definition in enclosed dictionary excerpt). Note that the authoring (e.g. processing the media data or configuring the sequence)

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may be accomplished during interrelated playback of the presentation (column 11 lines 29-59).

9. Regarding claim 6, the nesting of sub-displays within sub-displays corresponds to nesting of associated container objects within container objects (column 7 lines 20-55).

10. Regarding claim 7, input is received that is associated with each sub-display container object that specifies if the sub-display functionality is enabled (column 12 lines 20-40).

11. Regarding claim 8, a sub-display container object may be a pointer object having its own user option specified independently from its base object (column 11 lines 9-40).

12. Regarding claim 9, Hoddie et al disclose:

presentation data comprising one or more container objects containing one or more objects that include media data (Figure 7, 8, 9b, column 2 lines 15-35),

wherein the presentation data is structured in hierarchy such that the container objects can be nested within container objects (column 2 lines 7-33, column 6 lines 56-67, column 7 lines 1-31), means for processing the presentation data and navigating through the hierarchy, including selecting a container object in response to input (column 4 lines 1-25, column 6 lines 30-56, column 7 lines 5-34), ), playback display

having an output presentation of the media data, wherein the current playback output for display is replaced by the playback output of the selected container object (column 6 lines 30-56, column 7 lines 6-32, column 11 lines 29-38), one or more sub-display container objects which when played back displays the playback of its contained presentation data in a nested sub-display embedded within the display of the container object (column 7 lines 20-55). This constitutes an 'authoring system' (see definition in enclosed dictionary excerpt).

13. Regarding claim 10, Hoddie et al disclose:

presentation data comprising one or more container objects containing one or more objects that include media data (Figure 7, 8, 9b, column 2 lines 15-35), means for processing the presentation data, including starting a container object in response to input (column 4 lines 1-25, column 6 lines 30-56, column 7 lines 5-34), playback display having an output presentation of the media data, wherein the current playback output for display is replaced by the playback output of the selected container object (column 6 lines 30-56, column 7 lines 6-32, column 11 lines 29-38), one or more sub-display container objects which when played back displays the playback of its contained presentation data in a nested sub-display embedded within the display of the container object (column 7 lines 20-55). This constitutes an 'authoring system' (see definition in enclosed dictionary excerpt).

14. Regarding claim 11, Hoddie et al disclose:

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presentation data comprising one or more container objects containing one or more objects that include media data (Figure 7, 8, 9b, column 2 lines 15-35), playback display having an output presentation of the media data in a display (column 6 lines 30-56, column 7 lines 6-32, column 11 lines 29-38), one or more sub-display container objects which when played back displays the playback of its contained presentation data in a nested sub-display embedded within the display of the container object (column 7 lines 20-55), wherein user input is accepted to change object size (length of sequence) and position (place along timeline) at the same time (column 10 lines 5-40). This constitutes an 'authoring system' (see definition in enclosed dictionary excerpt).

15. Regarding claim 12, various multiple input devices are mentioned (column 4 lines 19-40) such that multiple editing actions (i.e. object size and position modification) are input actions suitable for being performed by left and right hands simultaneously.

16. Regarding claim 14, Hoddie et al disclose:

storing in a database presentation data comprising one or more container objects containing one or more objects that include media data (Figure 7, 8, 9b, column 2 lines 15-35), and one or more pointer objects that reference a base object for data (column 2 lines 47-55, the time base reference in column 8 lines 10-20, also column 11 lines 9-30), creating a virtual hierarchy wherein the presentation data is structured in hierarchy such that the container objects can be nested within container objects (column 2 lines 7-



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33, column 6 lines 56-67, column 7 lines 1-31), presenting the media data on a playback device (column 6 lines 30-56, column 11 lines 29-38), processing the presentation data (column 4 lines 1-25, column 6 lines 30-56). This constitutes an 'authoring system' (see definition in enclosed dictionary excerpt). Note that the authoring (e.g. processing the media data or configuring the sequence) may be accomplished during interrelated playback of the presentation (column 11 lines 29-59).

17. Regarding claim 15, the current playback output for display is replaced by the playback output of the selected container object (column 6 lines 30-56, column 7 lines 6-32, column 11 lines 29-38).

18. Regarding claim 16, Hoddie et al store in the database one or more sub-display container objects which when played back displays the playback of its contained presentation data in a nested sub-display embedded within the display of the container object (column 7 lines 20-55).

19. Claim 17 shows the same features as claim 14 and is rejected for the same reasons.

20. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

21. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hoddie et al (6630934).

22. Regarding claim 13, since multiple input devices include the mouse and keyboard switches (column 4 lines 19-40), the position can be changed by one (mouse) and the size changed by the other (switch). Hoddie et al do not specifically state this is the case, but they do mention flexibility of inputting data. It would have been obvious to a person with ordinary skill in the art to have this in Hoddie et al, because it would allow flexibility of inputting data using the multiple input devices.


23. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven P Sax whose telephone number is 571-272-4072. The examiner can normally be reached on M-F 8:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 571-272-4063. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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STEVEN SAX  
PRIMARY EXAMINER